

D0297 NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ART UNIT: 1652

JOHN FEDER, ET AL.

EXAMINER: SAIDHA, TEKCHAND

APPLICATION NO: 10/761,905

FILED: 01/21/2004

FOR: POLYNUCLEOTIDE ENCODING A NOVEL ACYL
COENZYME A, MONOACYLGLYCEROL ACYLTRANSFERASE-3
(MGAT3), AND USES THEREOFMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450Declaration of Thomas Nelson under 37 C.F.R. §1.131

I, Thomas Nelson, declare and state as follows:

1. I am a U.S. citizen.
2. I am currently employed by Bristol Myers Squibb Co.
3. I am a named inventor on U.S. application serial number 10/761,905.
4. It was, and is, my routine practice to maintain laboratory notebooks reflecting my work.
5. I was involved with the isolation and cloning of the nucleic acid sequence encoding monoacylglycerol acyltransferase 3 ("MGAT3").
6. Prior to December 19, 2002, I attached a copy of the nucleotide and amino sequence of MGAT3 onto to page 49865-086 of one of my laboratory notebooks.
7. An image of notebook page 49865-086 is attached hereto as Exhibit 1.
Note that dates prior to December 19, 2002 have been redacted.
8. I signed the bottom left side of the page next to the printed word "signed."

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9. I declare further that all statements made herein are of my own knowledge and are true. These statements were made with the knowledge that willful false statements may jeopardize the validity of any patents issuing from the above-identified application.

Date: November 15, 2006



Thomas Nelson

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EXHIBIT 1

19865-086
BRISTOL-MYERS SQUIBB PHARMACEUTICAL RESEARCH INSTITUTE
 DATE PROJ. NO. EXPT. NO.
 SUBJECT Sequence of Inter-MCAT3/dga-c, monoclonal-
antibody transfer & assay

~~MGAT-1~~ MGAT-3

Dga-c

26463-1-10f cDNA sequence

DO NOT WRITE IN THIS MARGIN

10 CACTCACACACCTACGGACACACGCTACTCTGGGAGGTTGATTTCGCACTTAGCCAGGCCCCCA
AAGCTGGGCTGTGTAGGAGAAAGTTGTGCGGAGGCTCCACATCCAAAGCTTTCATGTTTGTGCT
TCCGGTGTTCGGATCTGCTGTGGAAGAGGGGAGCTTCTGCAATGGAGATTTGGCCACAACCTGTGC
AGCCCCAACCACTTCCAAAACTTGCAGAGCAGCATCTAGAAGCAAGTGGGGGCGCTACCA
TATGTGCTGACACTTCTGTCTTCACTGGGGCTTTCTCTCCCTTCTGTCTTGTCTCTCTCTTCA
CTACTCTGGCCCTCTCTCTTTTACTTGGTGTGGCTCTATGTGCACTTGGACACACAGGAAAG
AAGGTGGAAGGGTGTGGAGTGGAATAGGAGACCGGGCAATTTGGAGACAACTAAGGAGATTAT
TATCTTTCAAGCTGTGGTGAAGAACAGCAGAGCTCCCGCGGATTCGAACTACGTCTGGGGGG
15 CCAACCTCATGGGATCATGTGTACAGGCTTCTCTGTAAATTTCTCCACCGAGAGCAACTGGCTCT
TCCGAGCTTCTCCGAGGCTGGGGCTTGTTAGCGGTGCTGGCTGGCTCTCTCTCTCTCTCCGG
TCTATGCGCATACATCATGTCTTGTGACTCTGTCCGGTGAGCGCGCAGAGGCTGGACTTCAT
CTGTGTCCAGAGCCGAGGTGGGGCAGCGGCTGTGTATCATGTGTGGGGGCTGGCGCAGAGGCGCT
GTATTACGTCCCGCGGGAGCAGTGGCTTACGCTCCAGAGGCGCAAGGCTTCTGTGGCTGGC
GCTGAGGACAGGGGGCTGTGGTGGCGGCTGTGTCTCTTGGGGAGAAATGACATCTTTAGACT
TAAAGCTTTTGGCAGAGCTCTGGCAGCATTTGTGTCGACGCTCAAGTCAAGAGGCTCATGGG
20 CTCTCTCTCTCTCTCTCTGGGCTGGCGGTCTCTTCTCAGGCACTCTGTGGGCTCTCTGGCT
TTGCTGTGCTCATACCACTGTGGTGCGGGCCGCGCATCCGCTCCCGCAGCGCTCCAGCCGAC
CGAGGAGGAAGTCAATCACTATCAGCGGCTGTACATGAGCGGCTGGAGGAGGCTTCTCGAG
AGCACAAGGAAAGCTGTGGGTGGCGGCTTCAACCTGTCACTTATCTAGGCTCTGGCGG
GGCTTTCTGGTGAAGCGCTGAGGCAAGGCACTGACCTTCAACCACTTGTGATCTCATGCT
TCCAAATAAAGGTAGTTCTGGGCGCAGGCACTGGCTGTGTGATCCAGCACTTTGG
AGGCGAGGTTGGAGGATGGTTTGAAGCGAGGAGTTGAAGAGCAAGCTGGGCAACACAGTGA
GACTTCAATTTGACAAAAAATAAAAAA

200C3-1-108 translation

MGYATILQPPITSKTLQKQHLBAYGAYQYVLTFLMGFFFLVFLVFLPISLWFFSVFYL
 WFLYLDWDWDTNGQGRBSBWENRABWQLRDYVFKVETAEPLPDNYVLAGAHPHGMAC
 TFLCNGSTENBSGSLPQLPQLPFLVLAAGLPIVYVYRDVYMSGFLCPVBSRQLDFLSLQ
 PQLCQAVVDMVGGAREALYSVPIEHLCLTQKRCIFVRLALRHGASLVVYVSFOENDFRL
 KAFATSGWQRWQQLTFEKLMDGSCFVWGRGLFSATSWGLLPAVPTTTVVGRDIPVQR
 LHFTRFVNHYHALMYTALBOLFEHKLSSCGVPASTCLTFL

See also pages 78, 91, & 94 for cloning and plane screening protocols and results.

SIGNED John C. [Signature] DATE 1/14/68 WITNESSED AND UNDERSTOOD BY William [Signature]